

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and FACEBOOK, INC.,

Defendants.

Civil Action No. 1:04-cv-11923 (DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

MARK ZUCKERBERG and  
FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO QUASH THE  
SUBPOENA SERVED ON HOWARD WINKLEVOSS**

Pursuant to Federal Rule 45(c), Defendants' subpoena causes undue burden and expense for Howard Winklevoss, a non-party to this action. *See* Fed. R. Civ. P. 45(c)(3)(A)(ii). Howard Winklevoss was served at his home, located at 10 Khakum Road, Greenwich, CT. The location of Howard Winklevoss's home is more than 100 miles from this jurisdiction. Thus, pursuant to Federal Rule 45(c)(3)(A)(ii), the subpoena of Howard Winklevoss must be quashed because it requires a non-party witness to travel more than 100 miles from where he resides. Therefore, because Howard Winklevoss is beyond this Court's jurisdictional reach, Defendants' subpoena is unenforceable.

Accordingly, Plaintiff respectfully requests that this motion to quash be granted.

DATED: October 23, 2006

/s/ John F. Hornick  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on October 23, 2006

/s/ John F. Hornick  
John F. Hornick